

**UNITED STATES BANKRUPTCY COURT  
MIDDLE DISTRICT OF NORTH CAROLINA**

In Re:

**Linwood McGee, Jr  
536 Sunset Dr.  
Milton, NC 27305**

Case No. \_\_\_\_\_

Chapter 13

SS# xxx-xx-2609

SS# \_\_\_\_\_

Debtor(s)

**NOTICE TO CREDITORS AND PROPOSED PLAN**

The Debtor(s) filed for relief under Chapter 13 of the United States Bankruptcy Code on January 30, 2015 .

The filing automatically stays collection and other actions against the Debtor, Debtor's property and certain co-debtors. If you attempt to collect a debt or take other action in violation of the bankruptcy stay you may be penalized.

Official notice will be sent to creditors, which will provide the name and address of the Trustee, the date and time of the meeting of creditors, and the deadline for objecting to the plan. The official notice will include a proof of claim form.

A creditor must timely file a proof of claim with the Trustee in order to receive distributions under the plan. The Trustee will mail payments to the address provided on the proof of claim unless the creditor provides another address in writing for payments. If the proof of claim is subsequently assigned or transferred, the Trustee will continue to remit payment to the original creditor until a formal notice of assignment or transfer is filed with the Court.

## CHAPTER 13 PLAN SUMMARY

The Debtor proposes an initial plan, which is subject to modification, as follows:

### I. Plan Payments

The plan proposes a payment of \$772.72 per month for a period of 55 months. The Debtor shall commence payments to the Trustee within thirty (30) days from the date the petition was filed.

### II. Administrative Costs

#### 1. Attorney fees.

- ☒ The attorney for the Debtor will be paid the base fee of \$3,700.00. The Attorney has received \$ 500.00 from the Debtor pre-petition and the remainder of the base fee will be paid monthly by the Trustee as funds are available, after scheduled monthly payments to holders of domestic support obligations and allowed secured claims.
- ☐ The Attorney for the Debtor will file application for approval of a fee in lieu of the presumptive fee.

2. **Trustee costs.** The Trustee will receive from all disbursements such amount as approved by the Court for payment of fees and expenses

### III. Priority Claims

All pre-petition claims entitled to priority under 11 U.S.C. § 507 will be paid in full in deferred cash payments unless otherwise indicated.

#### 1. Domestic Support Obligations ("DSO")

- a. ☒ None
- b. The name, address, and phone number, including area code, of the holder of any DSO as defined in § 101(14A) is as follows:

Name of DSO Claimant	Address, city, state & zip code	Telephone Number

- c. All **post-petition** DSO amounts will be paid directly by the Debtor to the holder of the claim and not by the Trustee.
- d. Arrearages owed to DSO claimants under 11 U.S.C. § 507(a)(1)(A) not presently paid through wage garnishment will be paid by the Trustee as follows:

Name of DSO Claimant	Estimated Arrearage Claim	Monthly Payment

#### 2. Other priority claims to be paid by Trustee

Creditor	Estimated Priority Claim
Caswell County Tax Office	\$889.06

#### IV. Secured Claims

##### 1. Real Property Secured Claims

a. ☐ None

b. All payments on any claim secured by real property will be paid by the Trustee unless the account is current, in which case the Debtor may elect to continue making mortgage payments directly. Arrearage claims will be paid by the Trustee as separate secured claims over the term of the plan, without interest.

Creditor	Property Address	Residence or Non-residence R/NR	Current Y/N	Monthly Payment	Arrearage Amount	If Current Indicate Payment by Debtor (D) or Trustee (T)
Green Tree Servicing, LLC	one-half interest in residence 536 Sunset DR, Milton, NC	R	N	\$607.00	\$2,900.00	

##### 2. Personal Property Secured Claims

a. ☒ None

b. Claims secured by personal property will be paid by the Trustee as follows:

Creditor	Collateral	Secured Amount	Purchase Money Y/N	Under-secured Amount	Pre-confirmation adequate protection payment per § 1326(a)(1)	Post-confirmation Equal Monthly Amount (EMA)	Proposed Interest Rate

The Trustee will disburse pre-confirmation adequate protection payments to secured creditors holding allowed purchase money secured claims. Claims having a collateral value of less than \$2,000.00 will not receive adequate protection payments.

*To the extent that the valuation provisions of 11 U.S.C. § 506 do not apply to any of the claims listed above, the creditor's failure to object to confirmation of the proposed plan shall constitute the creditor's acceptance of the treatment of its claim as proposed, pursuant to 11 U.S.C. § 1325(a)(5)(A).*

##### 3. Collateral to be Released

The Debtor proposes to release the following collateral:

Creditor	Collateral to be Released
United Consumer Financial Services	vacuum cleaner

##### 4. Liens to be Avoided

The Debtor pursuant to 11 U.S.C. § 522 proposes to avoid the following liens on property to the extent that such liens impair the Debtor's exemption:

Lien Creditor	Property
-NONE-	

#### V. Co-Debtor Claims

The Debtor proposes to separately classify for payment in full the following claims for consumer debts on which an individual is liable with the Debtor:

Creditor	Co-Debtor	Interest Rate	Monthly Payment
-NONE-			

## VI. General Unsecured Claims Not Separately Classified

General unsecured claims will be paid on a pro-rata basis, with payments to commence after priority unsecured claims are paid in full. The estimated dividend to general unsecured claims is 0 %.

## VII. Executory Contracts/Leases

- a. ☒ None
- b. The following executory contracts and/or leases will be rejected:

Creditor	Nature of lease or contract

- c. The following executory contracts and/or leases will be assumed. The Debtor will pay directly all lease payments which come due from the petition filing date until confirmation of the plan. Upon confirmation, payments will be paid as follows:

Creditor	Nature of Lease or Contract	Monthly payment	Monthly payment paid by Debtor (D) or Trustee (T)	Arrearage Amount	Arrearage paid by Debtor (D) or Trustee (T)	Arrearage monthly payment
-NONE-						

## VIII. Special Provisions

- a. ☒ None
- b. Other classes of unsecured claims and treatment
- c. Other Special Terms

Date: January 30, 2015

/s/ James W. Tolin, Jr.

**James W. Tolin, Jr. 6412**

Attorney for the Debtor

Address: **112 S. Main St.  
Roxboro, NC 27573**

Telephone: **336-599-0241**

State Bar No. **6412**

**UNITED STATES BANKRUPTCY COURT  
MIDDLE DISTRICT OF NORTH CAROLINA**

In Re:

**Linwood McGee, Jr**

SS# xxx-xx-2609

SS# \_\_\_\_\_

Debtor(s)

**NOTICE TO CREDITORS  
AND  
PROPOSED PLAN**

Case No. \_\_\_\_\_

**CERTIFICATE OF SERVICE**

The undersigned certifies that a copy of the Notice to Creditors and Proposed Plan was served by first class mail, postage prepaid, to the following parties at their respective addresses:

**Reid Wilcox  
Clerk of Court  
U.S. Bankruptcy Court  
Middle District of North Carolina  
P.O. Box 26100  
Greensboro, NC 27402**

**Anita Jo Kinlaw Troxler  
Chapter 13 Trustee  
Greensboro Division  
Post Office Box 1720  
Greensboro, NC 27402-1720**

**Advance America  
644B Piney Forest Rd  
Danville, VA 24540**

**Anderson Financial Services, LLC LoanMax  
2626 Riverside Dr.  
Danville, VA 24541**

**Bullcity Financial Sol  
1107 W Main St Ste 201  
Durham, NC 27701**

**Caswell County Tax Office  
PO Box 204  
Yanceyville, NC 27379-0204**

**Clear Spring Loan Serv  
18451 N Dallas Pkwy Ste  
Dallas, TX 75287**

**Green Tree Servicing, LLC  
PO Box 6172  
Rapid City, SD 57709-6172**

**Mariner Finance  
1421 Freeway Dr.  
Reidsville, NC 27320**

**Pied Crd Col  
Po Box 1596  
Danville, VA 24543**

**Schewel Furn  
126 Sandy Court  
Danville, VA 24541**

**Toyota Motor Credit Co  
Toyota Financial Services  
Po Box 8026**

**Cedar Rapids, IA 52408**

**United Consumer Financial Services  
865 Bassett Rd  
Westlake, OH 44145**

**Verizon  
500 Technology Dr  
Ste 550  
Weldon Spring, MO 63304**

Date: January 30, 2015

/s/ James W. Tolin, Jr.  
James W. Tolin, Jr. 6412